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March 25, 2008

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Via E-Mail Only

Honorable Richard J. Sullivan, U.S.D.J.
United States District Court
Southern District of New York
US Courthouse, Room 615
500 Pearl Street
New York, New York 10007-1213

RE: Robert Nelson v. Metro Fuel Oil Corp.
Civil Action No. 07 CV 9507 (RJS)

Dear Judge Sullivan:

This office represents the defendant, Metro Fuel Oil Corporation ("Metro") in the above referenced action. Pursuant to your Court Clerk, Eileen Levine, I request an adjournment of the Scheduling Conference set for Thursday, March 27, 2008 at 4:00 p.m. This is the first request for an adjournment of this matter. Pursuant to my previous communication with Ms. Levine, I failed to print out a full copy of your March 11, 2008 Order, which required me to advise the plaintiff's attorney of the Scheduling Conference. As such, he is unaware of the conference or other requirements of the Order.

Honorable Richard J. Sullivan, U.S.D.J.
March 25, 2008
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I am providing plaintiff's counsel with the following via facsimile this evening: (1) a copy of the March 11, 2008 Order (2) a printout of my previous e-mail correspondence with Ms. Levine and (3) this adjournment request.

Should the Court require anything further, please do not hesitate to contact me.

Respectfully,

CALO AGOSTINO, P.C.

By: /s/ Anthony F. Valente
Anthony F. Valente

AFV:jt

cc: Niles C. Welikson, Esq. (Via Facsimile Only)

Conference adjourned to
April 8, 2008 @ noon. Joint Status letter
(in D proposed case management plan to be
submitted not later than March 3, 2008 @
4PM. Mr. VALENTE TO NOTIFY ALL PARTIES.)

SO ORDERED
Dated: 3/26/08

RICHARD J. SULLIVAN
U.S.D.J.

